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EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

J. MICHAEL SEABRIGHT #3753
Assistant U.S. Attorney

WILLIAM L. SHIPLEY
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Email: William.Shipley@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 21 2003
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WALTER A. Y. H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 03-00535 SOM
)	
Plaintiff,)	
)	
vs.)	SUPERSEDING INFORMATION
)	[18 U.S.C. § 1344 - BANK
)	FRAUD (5 COUNTS)]
CLYDE MATSUOKA,)	
)	
Defendant.)	
_____)	

S U P E R S E D I N G I N F O R M A T I O N

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The United States Attorney charges that:

COUNT 1
[18 U.S.C. § 1344 - Bank Fraud]

INTRODUCTION

1. At all times material to this information, CLYDE MATSUOKA was employed by the Hawaii Schools Federal Credit Union (formerly known as Oahu Teachers No. 2 Federal Credit Union, and referred to herein as "HSFCU") as the Vice President of Loans.

2. At all times material to this information, HSFCU was a credit union insured by the National Credit Union Share Insurance Fund.

3. At all times material to this information, S.C. was a member of the HSFCU.

4. At all times material to this information, T.C. was a member of the HSFCU.

5. At all times material to this information, E.K. was a member of the HSFCU.

6. At all times material to this information, W.M. was a member of the HSFCU.

7. At all times material to this information, D.N. was a member of the HSFCU.

8. At all times material to this information, M.A. was a member of the HSFCU.

THE SCHEME TO DEFRAUD

9. Beginning on or about April 15, 1996, and ending on or about January 15, 2001, in the State and District of Hawaii, CLYDE MATSUOKA devised a scheme and artifice to defraud Hawaii Schools Federal Credit Union and to obtain moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of HSFCU, by means of material false and fraudulent pretenses, representations, and promises, as follows:

a. It was part of the scheme and artifice to defraud that the defendant, CLYDE MATSUOKA, during and in the course and scope of his employment capacities as Vice President of Loans, in June of 1996, began accessing a home equity line of credit in the name of credit union member S.C., and between June 5, 1996, and February 29, 2000, took approximately nine separate cash advances against that line of credit, and made personal use of those moneys.

b. It was further part of the scheme and artifice to defraud that defendant, CLYDE MATSUOKA, created in October of 1996, an unauthorized unsecured loan, in the name of credit union member T.C., and transferred \$20,434.43, from the proceeds of that loan as a payment on the balance of the unauthorized home equity line of credit, in the name of credit union member S.C.

c. It was further part of the scheme and artifice to defraud that defendant, CLYDE MATSUOKA, between April and September of 1996, made three unauthorized advances totaling approximately \$13,050.00, against the valid home equity line of credit, taken out by credit union member E.K. In or about October of 1996, the defendant created an unauthorized unsecured loan in the name of E.K., and used \$13,470.36 from the proceeds of that loan, to repay the unauthorized advances taken by the defendant against the home equity line of credit of E.K.

d. It was further part of the scheme and artifice to defraud that the defendant, CLYDE MATSUOKA, in July of 1999, made the unauthorized transfer of \$50,494.64, from the regular share account of credit union member W.M. as a payment on the balance of the unauthorized home equity line of credit, in the name of credit union member S.C. In or about February of 2000, the defendant took an unauthorized advance, in the same amount, against the unauthorized S.C. home equity line of credit, and caused it to be deposited in the regular share account of W.M. as repayment.

e. It was further part of the scheme and artifice to defraud that the defendant, CLYDE MATSUOKA, in April of 2000, caused the unauthorized transfer of \$50,494.64 from the regular share account of credit union member D.N. to the unauthorized home equity line of credit, in the name of credit

union member S.C., as payment on the advances taken by the defendant.

f. It was further part of the scheme and artifice to defraud that the defendant, CLYDE MATSUOKA, in November of 2000, created an unauthorized home equity line of credit, in the name of credit union member M.A., and caused an unauthorized advance of \$53,695.48 to be taken on that line of credit and transferred to the regular share account of credit union member D.N.

EXECUTING THE SCHEME TO DEFRAUD

10. On or about September 16, 1996, in the State and District of Hawaii, defendant CLYDE MATSUOKA did knowingly execute, and attempt to execute, a scheme and artifice to defraud HSFCU and to obtain moneys, funds, and other property owned by and under the custody and control of HSFCU, by means of material false and fraudulent pretenses, representations, and promises, in that the defendant caused to be issued an advance check against the S.C. home equity line of credit, in the amount of \$960.00, to be issued payable to "Pioneer Federal Savings" as payment on an outstanding personal debt.

All in violation of Title 18, United States Code, Section 1344.

COUNT 2

[18 U.S.C. § 1344 - Bank Fraud]

11. The United States Attorney hereby incorporates the allegations of Paragraphs 1 through 9 above.

12. On or about October 22, 1996, the defendant, CLYDE MATSUOKA, did knowingly execute, and attempt to execute, a scheme and artifice to defraud HSFCU and to obtain moneys, funds, and other property owned by and under the custody and control of HSFCU, by means of material false and fraudulent pretenses, representations, and promises, in that the defendant caused \$20,434.43 in proceeds from an unauthorized unsecured loan created by the defendant in the name of credit union member T.C., to be transferred as a payment on the unpaid balance of the unauthorized home equity line of credit in the name of credit union member S.C.

All in violation of Title 18, United States Code, Section 1344.

COUNT 3

[18 U.S.C. § 1344 - Bank Fraud]

13. The United States Attorney hereby incorporates the allegations of Paragraphs 1 through 9 above.

14. On or about October 22, 1996, the defendant, CLYDE MATSUOKA, did knowingly execute, and attempt to execute, a scheme and artifice to defraud HSFCU and to obtain moneys, funds, and other property owned by and under the custody and control of

HSFCU, by means of material false and fraudulent pretenses, representations, and promises, in that the defendant created an unauthorized loan in the name of credit union member E.K., and caused \$13,470 in proceeds from that unauthorized loan to be transferred as payment on a valid home equity loan taken out previously by credit union member E.K.; and from which the defendant had taken three unauthorized advances which were transferred by him as payments against the balance of the unauthorized home equity loan in the name of credit union member S.C.

All in violation of Title 18, United States Code, Section 1344.

COUNT 4
[18 U.S.C. § 1344 - Bank Fraud]

15. The United States Attorney hereby incorporates the allegations of Paragraphs 1 through 9 above.

16. On or about July 6, 1999, the defendant, CLYDE MATSUOKA, did knowingly execute, and attempt to execute, a scheme and artifice to defraud HSFCU and to obtain moneys, funds, and other property owned by and under the custody and control of HSFCU, by means of material false and fraudulent pretenses, representations, and promises, in that the defendant caused \$50,494.64 to be transferred from the regular share account of credit union member W.M, as payment against the balance of the unauthorized home equity line of credit, in the in the name of

credit union member S.C.; and on February 29, 2000, caused an advance in the same amount to be taken against the unauthorized home equity line of credit in the name of S.C., and those funds were transferred back into the regular share account of credit union member W.M.

All in violation of Title 18, United States Code, Section 1344.

COUNT 5
[18 U.S.C. § 1344 - Bank Fraud]

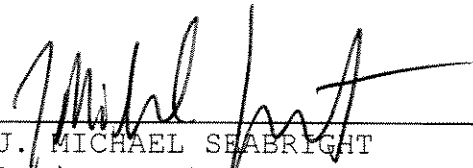
17. The United States Attorney hereby incorporates the allegations of Paragraphs 1 through 9 above.

18. On or about April 7, 2000, the defendant, CLYDE MATSUOKA, did knowingly execute, and attempt to execute, a scheme and artifice to defraud HSFCU and to obtain moneys, funds, and other property owned by and under the custody and control of HSFCU, by means of material false and fraudulent pretenses, representations, and promises, in that the defendant caused \$50,494.64 to be transferred from the regular share account of credit union member D.N. as payment on the balance of the an unauthorized home equity line of credit, in the in the name of credit union member S.C.; and on November 9, 2000, caused an unauthorized advance in the same amount to be taken on the home equity line of credit, in the name of credit union member M.A., and transferred those funds to the regular share account of credit union member D.N.

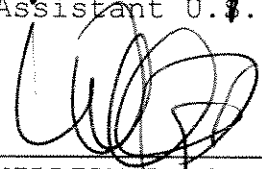
All in violation of Title 18, United States Code,
Section 1344.

DATED: 11/20/03, 2003, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney



J. MICHAEL SEABRIGHT
Assistant U.S. Attorney



WILLIAM L. SHIPLEY
Assistant U.S. Attorney

United States v. Clyde Matsuoka
Cr. No. 03-00535 SOM
"Superseding Information"